

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:09-CR-216-1FL

UNITED STATES OF AMERICA)

v.)

DANIEL PATRICK BOYD, a/k/a)
"Saifullah;")

Defendant.)

ORDER

This matter comes now before the court upon motion of defendant Daniel Patrick Boyd filed March 25, 2019, on what appears to be a jailhouse form, circulated by another who calls himself a "Human Rights Activist." The movant complains some injustice is suspected to have been inflicted on substantive and/or procedural grounds, and, because of this, he is entitled to disclosure of specified case documents. It reads in opening part:

In The UNITED STATES COURT of the EASTERN DISTRICT of NORTH CAROLINA
THE UNITED STATES OF AMERICA - Plaintiff;
v.
DANIEL BOYD - Defendant, Pro Se; Criminal No. 5:09-cr00216-FL-1
MOTION for DISCLOSURE of: GRAND JURY TRANSCRIPTS, BALLOT, or RECORD for INSPECTION; INDICTMENT; and CRIMINAL COMPLAINT
NOW COMES movant DANIEL BOYD, acting in proper person, to respectfully request this Court to issue an "Order of Disclosure" for several essential documents pertaining to his criminal prosecution. The documents requested for disclosure are: grand jury hearing transcripts, ballot, or record for inspection; indictment pertaining to the criminal charge; and criminal complaint.

(DE 2305, p. 1). The March 25, 2019, motion now before this court reads in conclusory part:

Federal prisoners may obtain transcripts and other documents pursuant to the Court Reporter Act, 28 U.S.C. section 753(f). The claims raised in this motion meet clear standard for not being frivolous and the documents to be decided. Furthermore, the Freedom of Information Act, 5 U.S.C. section 552, requires that the government to disclose all documents. The movant is financially incapable of procuring these documents and is in need of them in order to establish the level of injustice perpetrated.

Signed on 3/19/2019

x [Signature], Pro Se

Name: DANIEL BOYD

Inmate ID # 51765 - 056

FCI or USP (Circled) ALLENWOOD FCC

PO Box 2000

WHITE OAK, PA 2000

#justice4all

Prepared By [Signature]
THEMBA B. SANGANZA
HUMAN RIGHTS ADVOCATE

(DE 2305, p. 3). This motion comes on the heels of an earlier, similarly formulaic request, received in the clerk's office February 26, 2019, This request read:

IN THE UNITED STATES DISTRICT COURT
OF THE EASTERN DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA

Plaintiff,

v.
DANIEL BOYD
Defendant;

Criminal No. 5:09-cr-216-IFL

FILED

FEB 26 2019

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY [Signature] DEP CLK

MOVANT REQUEST FOR GRAND JURY BALLOT OR RECORD, COURT DOCKET SHEET AND SUPERSEDING
INDICTMENT

Attention Court of the Clerk, please note this is an official affidavit Notice Pursuant to Rule 6(f) of Federal Rules Criminal Procedure to issue Movant Grand Jury Ballot or Record for inspection, Court Docket Sheet and Superseding Indictment. Movant was never accorded the right to inspect the grand jury ballot or record including the number of jurors concurrence in finding the indictment, or if such record was properly maintained.

I respectfully request the Court to grant this request.

Date 02/19/2019

/s/ [Signature]

DANIEL BOYD
Pro Se

DE 2302). Interpreting the February 26, 2019, missive as a request for a copy of the docket sheet and superceding indictment, the clerk promptly responded, informing Mr. Boyd that he would be required to pay a total of \$28.00 for these items. (DE 2303). Shortly thereafter, Mr. Boyd's wife

wrote to the clerk, reiterating her husband's request for the docket sheet and superceding indictment, and enclosing a money order on his behalf in the amount of \$28.00. (DE 2304).

Around two weeks later, payment having been made for the docket sheet and a copy of the superceding indictment, mailed by the clerk to Mr. Boyd, the instant motion appeared. (DE 2305). It states on its face, as noted above, that it was prepared by one Themba B. Sanganeza, whom the government identifies in its response as a convicted fraudster incarcerated with Mr. Boyd, providing, as is plain, inaccurate legal advice to him. (DE 2311).

The court is mindful of those who prey upon their fellow inmates to gain influence or favor by promoting futile legal strategies. As Mr. Boyd is aware, he can receive upon payment copies of court records. Without more, as the government notes, he is not entitled to disclosure of grand jury records.

The judgment against Mr. Boyd, long ago made final, reflects on its face Mr. Boyd's receipt of a well-deserved substantial cut in time for his cooperation with and assistance to the government in this very serious case. The Federal Bureau of Prisons reports this date that Mr. Boyd, who came into the custody of the United States of America on July 27, 2009, is anticipated to be released April 7, 2025.

There being no basis in law or fact for the relief requested, without more, the motion, (DE 2305), must be and is DENIED.

SO ORDERED, this the 17th day of April, 2019.


LOUISE W. FLANAGAN
United States District Judge